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Local Government & Urban Policy Committee

State Survey and Remonumentation Program Update

Michigan counties are currently completing work on both the 2004 work program and the 2005 work program paid for by a grant under the state survey and remonumentation program. To date the 83 counties have reported approximately 85,000 original government corner positions have been researched and marked across Michigan that were originally established between 1808 and 1854. Approximately 100,000 of the estimated 275,000 corner will be completed by the time each county has reported its work progress at the end of this year.

The survey and remonumentation program was established in 1991 as a county program funded by recording fees collected by each county register of deeds in the amount of \$2 per document. The \$2 fee collected by each county is deposited quarterly in the state treasury in a restricted fund for grants to participating counties. Based on county projections, the funding generated by the \$2 recording fee would not be adequate to complete the survey work in the 20 years provided in the act. Beginning on March 31, 2003, the fee collected for survey and remonumentation at the county was increase to \$4 until 2013 when it will return to the original \$2 for the remainder of the grant program. This increase will provide adequate funding for most of the counties to complete their work within the 20 years from 1993, the first year survey and remonumentation grants were made to counties.

The county work programs include compiling a complete documented history of each corner, field reconnaissance, field survey, peer group ratification of the corner position and finally installing a marker at the corner position and filing a permanent record of the corner at the county register of deeds office.

The documented history of the corner begins with the original government survey. All survey documents that relate to a corner's position that can be identified are included. Most records are obtained from the county register of deed and include county surveyor records, private surveys and land corner recordation certificates on file. Additionally, private survey records are included where accessible. Surveys made by government agencies such as the laying out of township, village and city roads, county road commission records, county drain commissioner's records, department of transportation (formerly the state highway department) records, Department of natural resources records, etc are acquired. Among other records that may be available are the records of Army Corps of Engineers and the Civilian Conservation Corps. All available documents are required to be accessed and considered before a corner position can be determined.

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Once all historical documentation regarding a corner position has been compiled a thorough search of the vicinity of the corner must be made by the contract surveyor. Any evidence of a corner marker must be compared with the historical documentation to develop a line of evidence from today dating back to the original corner marker set by the original government surveyor when possible. Measurements to adjacent corners can also substantiate the position of the corner when compared to the measurements reported by prior surveyors and found in the historical survey documentation. If no evidence of the corner position is found the corner is reestablished using the Manual of Instructions for the Survey of the Public Lands of the United State prepared by the Bureau of Land Management (BLM) Technical Bulletin No. 6 or subsequent addition as specifies in Michigan's survey and remonumentation act.

The contract surveyor considers the evidence found during the field search and the field measurements comparing them to the historical documentation or follows the procedure described in BLM Technical Bulletin No. 6 to identify the position of the subject corner. The results are presented to a group of the contract surveyor's peers to deliberate the corner position based on the evidence and historical documentation and agree or disagree with the determination of the corner position by the contract surveyor. Ratification of the corner position by the peer group at an open meeting means that not less than 3 licensed professional surveyors that are not associated with each other or with the contract surveyor concluded that the corner position has been determined correctly.

After ratification the contract surveyor places a permanent marker at the corner position and files a permanent record at the county register of deeds. The record, called a land corner recordation certificate, describes the historical documentation, the evidence found and the method used to restore the corner as well as the physical description of the marker install at the corner position.

Most corners that have been marked under the county work programs are in harmony with the surrounding properties. Some, however, are not. Property disputes between adjoining property owners have taken place since shortly after the U.S. government patented the land to the first settlers. This was well before the start of the survey and remonumentation program began. Counties continue to uncover circumstances where the position of the original government corner differs significantly from the location the land owners previously thought. This is a very rare occurrence. Preliminary review indicates that a property dispute stemming from corners being marked by county remonumentation activities results much less than 1% of the time and may be as little as 0.1% or 0.2%.

The discovery and reporting of a conflict between the position of the original government corner and the position thought to be the corner position does not, in itself, cause a property ownership dispute. Nor does it take property from one owner and give it to another. The county remonumentation program verifies and marks the position of the original government survey corners but does not perform any surveys to define and mark property ownership. The actual location of the lines has not changed. What has changed is the awareness of the property owners of the location of the government corners. Property owners may fix the line between their properties by agreement. When this is not possible, our system provides an avenue for resolution through the county circuit court. This could be an action to dispute the corner position or an action to fix the property line between adjoining owners.

Unless the county remonumentation program incorrectly establishes the position of the original government corner it has not caused the conflict but has only discovered and reported the existing condition. The sooner all government corners are well marked and well known the sooner land disputes based upon speculation of where the corners are will be eliminated.

Office of Land Survey & Remonumentation

Enabling 1990 PA 345 MCL 54.271(11) & (12)

Funding 1990 PA 346 MCL 600.2567a as amended by 2002 PA 700

COUNTY	Total Corners Completed Through 2003	Square Miles Miles in County	Estimated Corners In County	Percent Completed
Alcona	705	674.4	3,271	22%
Alger*	719	917.8	4,451	16%
Allegan	1,719	827.5	4,013	43%
Alpena	628	574.2	2,785	23%
Antrim	373	476.9	2,313	16%
Arenac	314	366.8	1,779	18%
Baraga	424	904.0	4,384	10%
Barry*	1,250	556.1	2,697	46%
Bay	1,240	444.2	2,154	58%
Benzie	479	321.3	1,558	31%
Berrien	762	571.0	2,769	28%
Branch	643	507.4	2,461	26%
Calhoun	1,148	708.7	3,437	33%
Cass	407	492.2	2,387	17%
Charlevoix*	527	416.8	2,021	26%
Cheboygan	834	715.6	3,471	24%
Chippewa*	1,747	1,561.1	7,571	23%
Clare*	1,057	566.8	2,749	38%
Clinton*	677	571.5	2,772	24%
Crawford	647	558.1	2,707	24%
Delta	1,848	1,170.0	5,675	33%
Dickinson	899	766.3	3,717	24%
Eaton	896	576.4	2,796	32%
Emmet	364	467.8	2,269	16%
Genesee	904	639.6	3,102	29%
Gladwin	628	506.8	2,458	26%
Gogebic	2,171	1,101.9	5,344	41%
Gr. Traverse	809	465.1	2,256	36%
Gratiot	555	570.1	2,765	20%
Hillsdale	627	598.8	2,904	22%
Houghton	549	1,011.7	4,907	11%
Huron	946	836.5	4,057	23%
Ingham	1,064	559.2	2,712	39%
Ionia	638	573.2	2,780	23%
Iosco	583	549.1	2,663	22%
Iron	1,656	1,166.4	5,657	29%
Isabella*	772	574.3	2,785	28%
Jackson	1,268	706.6	3,427	37%
Kalamazoo*	1,273	561.9	2,725	47%
Kalkaska	1,014	561.0	2,721	37%
Kent*	4,421	856.2	4,522	98%
Keweenaw	271	541.0	2,624	10%
Lake	690	567.4	2,752	25%
Lapeer	880	654.2	3,173	28%

COUNTY	Total Corners Completed Through 2003	Square Miles Miles in County	Estimated Corners In County	Percent Completed
Leelanau	535	348.5	1,690	32%
Lenawee	724	750.5	3,640	20%
Livingston*	1,778	568.4	2,757	64%
Luce	746	903.1	4,380	17%
Mackinac	859	1,021.6	4,955	17%
Macomb*	1,411	480.4	2,330	61%
Manistee*	902	543.6	2,636	34%
Marquette*	1,307	1,821.1	8,832	15%
Mason	1,008	495.2	2,402	42%
Mecosta	1,221	555.7	2,695	45%
Menominee	1,832	1,043.5	5,061	36%
Midland	768	521.2	2,528	30%
Missaukee	572	566.7	2,748	21%
Monroe	695	551.1	2,673	26%
Montcalm	881	708.0	3,434	26%
Montmorency	734	547.6	2,656	28%
Muskegon	1,178	509.1	2,469	48%
Newaygo	1,520	842.4	4,086	37%
Oakland*	3,374	872.5	4,232	80%
Oceana	923	540.5	2,621	35%
Ogemaw*	484	564.3	2,737	18%
Ontonagon	1,508	1,311.5	6,361	24%
Osceola	1,215	566.0	2,745	44%
Oscoda	990	565.0	2,740	36%
Otsego*	248	514.5	2,495	10%
Ottawa*	2,759	565.7	2,800	99%
Presque Isle	812	660.1	3,201	25%
Roscommon	1,040	521.4	2,529	41%
Saginaw	882	808.9	3,923	22%
St. Clair*	493	724.4	3,513	14%
St. Joseph*	734	503.7	2,443	30%
Sanilac	981	963.8	4,674	21%
Schoolcraft	825	1,178.1	5,714	14%
Shiawassee*	741	538.7	2,613	28%
Tuscola*	1,044	812.4	3,940	26%
Van Buren*	740	610.9	2,963	25%
Washtenaw*	940	709.9	3,443	27%
Wayne*	1,365	614.2	2,979	46%
Wexford	663	565.5	2,743	24%
TOTALS:	83,458	56,803.6	275,923	30%

* Some state plane coordinate work completed

** Includes a portion of 2004 Work Program

Office of Land Survey & Remonumentation
LCRC Totals

Peer Approval between 01/01/1990 and 09/13/2005

Status: FILED

<u>County</u>	<u>Total</u>
ALCONA	705
ALGER	721
ALLEGAN	1,719
ALPENA	628
ANTRIM	393
ARENAC	314
BARAGA	424
BARRY	1,352
BAY	1,240
BENZIE	479
BERRIEN	802
BRANCH	643
CALHOUN	1,148
CASS	473
CHARLEVOIX	527
CHEBOYGAN	909
CHIPPEWA	1,835
CLARE	1,107
CLINTON	677
CRAWFORD	647
DELTA	2,039
DICKINSON	899
EATON	928
EMMET	364
GENESEE	904
GLADWIN	628
GOGEBIC	2,171
GRAND TRAVERSE	809
GRATIOT	555
HILLSDALE	627
HOUGHTON	549
HURON	946
INGHAM	1,110
IONIA	638
IOSCO	583
IRON	1,656
ISABELLA	840
JACKSON	1,268

Office of Land Survey & Remonumentation
LCRC Totals

Status: FILED

<u>County</u>	<u>Total</u>
KALAMAZOO	1,273
KALKASKA	1,014
KENT	4,421
KEWEENAW	271
LAKE	842
LAPEER	880
LEELANAU	535
LENAWEE	724
LIVINGSTON	1,778
LUCE	828
MACKINAC	870
MACOMB	1,435
MANISTEE	902
MARQUETTE	1,371
MASON	1,082
MECOSTA	1,221
MENOMINEE	1,839
MIDLAND	768
MISSAUKEE	572
MONROE	695
MONTCALM	881
MONTMORENCY	734
MUSKEGON	1,330
NEWAYGO	1,598
OAKLAND	3,374
OCEANA	923
OGEMAW	484
ONTONAGON	1,508
OSCEOLA	1,215
OSCODA	1,061
OTSEGO	248
OTTAWA	2,759
PRESQUE ISLE	812
ROSCOMMON	1,040
SAGINAW	882
SANILAC	1,093
SCHOOLCRAFT	825
SHIAWASSEE	857
ST CLAIR	575

Office of Land Survey & Remonumentation
LCRC Totals

Status: FILED

<u>County</u>	<u>Total</u>
ST JOSEPH	734
TUSCOLA	1,093
VAN BUREN	740
WASHTENAW	940
WAYNE	1,390
WEXFORD	663
GRAND TOTAL	85,337